

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CHAD HATTEN,

Civil 09-0454 (JRT/SRN)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

RICARDO RIOS,

Respondent.

Chad Hatten, #16720-179, Federal Correctional Institution – Sheridan, Post Office Box 5000, Sheridan, OR 97378, appearing pro se.

Gregory Booker, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Susan Richard Nelson dated February 27, 2009, all the files and records, and no objections having been filed to said Report and Recommendation. Accordingly, **IT IS HEREBY ORDERED** that:

1. Petitioner's motion for leave to proceed in forma pauperis [Docket No. 2], is **DENIED**; and

2. This action is summarily **DISMISSED** for lack of jurisdiction.

Dated: March 31, 2009
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge